



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2  
290 BROADWAY  
NEW YORK, NY 10007-1866

JUL 20 2000

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. Carl R. Woodward, III  
Carella, Byrne, Bain, Gilfillan, Cecchi, Stewart & Olstein  
6 Becker Farm Road  
Roseland, New Jersey 07068-1739

Re: Request for Information Under 42 U.S.C. §9601 et seq.  
Diamond Alkali Superfund Site, Passaic River Study Area

Dear Mr. Woodward:

The United States Environmental Protection Agency ("EPA") is investigating the presence of hazardous substances in the sediments of the Passaic River. EPA is charged with responding to the release and/or threatened release of hazardous substances, pollutants and contaminants into the environment and with enforcement responsibilities under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. §9601 et seq.

EPA sent Active Oil an earlier Request for Information which is attached. As the attorney for Active Oil, you requested clarification regarding the address for Active Oil's former location in Belleville, NJ. EPA apologizes for the delay in clarifying the facility address. The facility for which we seek information was located at 374 Main Street in Belleville, NJ. Pursuant to the statutory provisions cited above, EPA hereby requests that on behalf of your client Active Oil, you provide the information requested in the earlier transmittal.

In preparing your answers to the questions in Attachment A of the enclosure, you should follow the instructions provided in Attachment B of that document and include the "Certification of Answers to Request for Information," with your notarized signature.

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Your response to this "Request for Information" should be postmarked or received by EPA within thirty (30) calendar days of your receipt of this letter. Your response should be mailed to:

Matthew Fox, Remedial Project Manager  
Emergency and Remedial Response Division  
U.S. Environmental Protection Agency  
290 Broadway, Floor 19  
New York, New York 10007-1866

with a copy to Ms. Kedari Reddy, Assistant Regional Counsel,  
Office of Regional Counsel, Floor 17 at the same address.

Failure to respond to this "Request for Information" within the time specified above may subject Active Oil to an enforcement action under Section 104(e) (5) of CERCLA, 42 U.S.C. §9604(e) (5). An enforcement action may include the assessment of penalties of up to \$27,500 for each day of continued noncompliance.

Be advised that Active Oil is under a continuing obligation to supplement this response if information not known or not available to them as of the date of submittal of their response should later become known or available. If at any time in the future Active Oil obtains or becomes aware of additional information and/or find that any portion of the submitted information is false, misleading or misrepresents the truth, Active Oil must promptly notify EPA. If any part of the response is found to be untrue, Active Oil may be subject to criminal prosecution.

If desired, Active Oil may assert a business confidentiality claim covering all or part of the information requested by this letter. The claim must be supported by each of the four factors specified in Section 104(e) (7) (E) of CERCLA, 42 U.S.C. §9604(e) (7) (E), and must be asserted at the time of submission, by placing on (or attaching to) the information a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret" or "proprietary" or "company confidential." Information covered by such a claim will be disclosed by EPA only to the extent and by means of procedures set forth in Title 40 C.F.R. Part 2, Subpart B. If no such claim accompanies the information when it is received by EPA, it may be made available to the public by EPA without further notice.

This Request for Information is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. Sections 3501-3520.

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If you have any questions concerning this "Request for Information," please contact Mr. Fox at (212) 637-4976 or Ms. Reddy at (212) 637-3106. Inquiries from attorneys should be directed to Ms. Reddy. Your cooperation is appreciated.

Sincerely yours,



Janet Conetta  
Strategic Integration Manager  
Emergency & Remedial Response Division

Enclosures

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Carl R. Woodward, III  
Carella, Byrne, Bain, Gilfillan, Cecchi,  
Stewart & Olstein  
6 Becker Farm road  
Roseland, New Jersey 07068-1739

2. Article Number (Copy from service label)

Z 502 506 861

PS Form 3811, July 1999

Domestic Return Receipt

102595-99-M-1789

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) B. Date of Delivery

ANDREW HELD 7/2

C. Signature

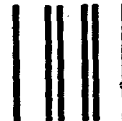
x Andrew Held ☐ Agent ☐ AddresseeD. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type

- ☒ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

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First-Class Mail  
Postage & Fees Paid  
USPS  
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• Sender: Please print your name, address, and ZIP+4 in this box •

U.S. Environmental Protection Agency  
Region II  
Office of Regional Counsel  
New Jersey Superfund Branch  
290 Broadway, 17th Floor  
New York, New York 10007-1868  
Attn: Kedari Reddy



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